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| 10/781,628 | 02/20/2004 | Takashi Murai | Q79816 | 4140 |

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| EXAMINER |
|---|
| DANIEL JR, WILLIE J |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on _10 December 2008_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) _1-3,7 and 9_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-3,7 and 9_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. This action is in response to applicant's communication filed on 10 December 2008 (including amendment filed 09 December 2008). **Claims 1-3, 7, and 9** are now pending in the present application and **claims 4-6, 8, and 10-15** are cancelled. This office action is made **Non-Final**.

### *Claim Objections*

2. **Claim 3** is objected to because of the following informalities:

   a. Claim 3 recites the limitation "…registering **the** user…" in line(s) 6 of the claim. The Examiner suggests replacing said limitation to have proper **antecedent** and help clarify the claim language.

   b. Claim 3 recites the limitation "…in **the** specific area…" in line(s) 10 of the claim. The Examiner suggests replacing said limitation to have proper **antecedent** and help clarify the claim language.

   Appropriate correction is required.

3. Due to the objections of the current claim language, the Examiner has given a reasonable interpretation of said language and the claims are rejected as broadest and best interpreted. In addition, applicant is welcomed to point out where in the specification the Examiner can find support for this language if Applicant believes otherwise.

4. This list of examples is not intended to be exhaustive. The Examiner respectfully requests the applicant to review all claims and clarify the issues as listed above as well as any other issue(s) that are not listed.

## *Claim Rejections - 35 USC § 112*

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 3** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

   a. **Claim 3** recites the limitation "…when **it** has…" in line(s) 9 of the claim. The claim includes the term "**it**" which is not clearly defined in the claim(s) or instant application. Applicant is advised to provide the **exact** terminology that relates to the claimed invention of the instant application instead of using the term "**it**".

   Regarding **claim 3**, the claims recite language that is not clear and concise in which the Examiner respectfully request the applicant to clarify the claims. Applicant is advised to clearly and concisely provide claim language that is consistent and correlates to the specification and mindful not to improperly utilized language that is clearly not supported. If the applicant considers the current language to be sufficient, the Examiner respectfully requests page(s), line(s), and/or drawing(s) of the instant application that supports the claim language and any supportive comment(s) to help clarify and resolve this issue(s).

6. Due to the 112 rejection of the current claim language, the Examiner has given a reasonable interpretation of said language and the claims are rejected as broadest and best interpreted. In addition, applicant is welcomed to point out where in the specification the Examiner can find support for this language if Applicant believes otherwise.

7. This list of examples is not intended to be exhaustive. The Examiner respectfully requests the applicant to review all claims and clarify the issues as listed above as well as any other issue(s) that are not listed.

### Double Patent Claiming

8.         Applicant is advised that should claims 2 and 3 be found allowable, claim 2 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

9.         Applicant is advised that should claims 7 and 9 be found allowable, claim 7 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 1-3, 7, and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ayres**

**et al**. (hereinafter Ayres) (**US 2003/0078986 A1**) in view of **Trossen et al**. (hereinafter

Trossen) (**US 2004/0111476 A1**), **Cohn et al**. (hereinafter Cohn) (**US 2002/0065074 A1**),

and **Kuramitsu (US 7,221,903 B2)**.

Regarding **claims 2 and 3**, Ayres discloses a method for distributing video (e.g.,

multimedia MM) information to a mobile phone from a video contents server (e.g.,

multimedia distribution server - MDK 12, 14, 16), based on push technology, said video

contents server configured to store therein the video information to be distributed, under

control of a user management server (MDK server 140) which controls user registration and

video information distribution (see pg. 4, [0039-0040]), comprising:

registering the user request for a video information distribution service to the user

management server in advance (see pg. 1, [0009-0010]; pg. 4, [0045]), where the MDK

server 140 includes a subscriber registration module (142);

detecting that the mobile phone exits in an area (see pg. 1, [0009-0010]; pg. 4, [0039-

0040, 0045]);

when it has been detect that the mobile phone exists in the specific area (see pg. 2,

[0020]); and,

distributing video information about the specific area from the video contents server to

the mobile phone based on said push technology (see pg. 2, [0020]; pg. 5, [0053]);

causing the mobile phone to display the saved video information on the basis of a user's

instruction (see pg. 3, [0027]). Ayres does not specifically disclose having the features

detecting traffic of a radio channel connected to the mobile phone at a time when it has been

detected that the mobile phone exists in the specific area; and when the detected traffic is

lower than a threshold, distributing video information about the specific area from the video

contents server to the mobile phone based on said push technology; when said video

information is distributed from the video contents server to the mobile phone while a user is

using the mobile phone, causing the mobile phone to save the distributed video information;

when the video information is distributed from the video contents server to the mobile phone

while the user is not using the mobile phone, causing the mobile phone to display the

distributed video information for only a time period, and thereafter causing the mobile phone

to stop displaying the video information and save the remaining video information distributed

after the time period has elapsed.  However, the examiner maintains that the features

detecting traffic of a radio channel connected to the mobile phone at a time when it has been

detected that the mobile phone exists in the specific area; and when the detected traffic is

lower than a threshold, distributing video information from the video contents server to the

mobile phone based on said push technology was well known in the art, as taught by Trossen.

In the same field of endeavor, Trossen discloses the features detecting traffic of a

radio channel connected to the mobile phone; and when the detected traffic is lower than a

threshold, distributing video information from the video contents server to the mobile phone

based on said push technology (see pg. 4, [0033]; pg. 7, 0046-0047]), where the message

recipient can define a recipient rule that only permits delivery of specific portions of

multimedia messages, such as text portions of multimedia messages that also contain, for

example, graphic, audio, and/or video content; and a network rule for message delivery can

be defined based on an amount of traffic on the network over which the media content is to

be delivered, such as sending the media content when the network traffic is below a threshold

(see pg. 7, 0046-0047]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Ayres and Trossen to have the features

detecting traffic of a radio channel connected to the mobile phone; and when the detected

traffic is lower than a threshold, distributing video information from the video contents server

to the mobile phone based on said push technology, in order to allow rules to be defined so as

to facilitate fast, efficient and expensive delivery of media content to subscribers, as taught

by Trossen (see pg. 2, [0014]; pg. 10, [0068]). The combination of Ayres and Trossen does

not specifically disclose having the feature(s) when said video information is distributed from

the video contents server to the mobile phone while a user is using the mobile phone, causing

the mobile phone to save the distributed video information; when the video information is

distributed from the video contents server to the mobile phone while the user is not using the

mobile phone, causing the mobile phone to display the distributed video information for only

a time period, and thereafter causing the mobile phone to stop displaying the video

information and save the remaining video information distributed after the time period has

elapsed. However, the examiner maintains that the feature when the video information is

distributed from the video contents server to the mobile phone while the user is not using the

mobile phone was well known in the art, as taught by Cohn.

In the same field of endeavor, Cohn discloses the feature when the video information

is distributed from the video contents server to the mobile phone while the user is not using

the mobile phone (e.g., wireless handheld device 18) (see pg. 2, [0022, 0024, 0036]; pg. 3,

[0050]), where the device can receive single use video content. Also, Cohn further discloses the feature mobile phone that is not in use (see pgs. 1-2, [0013]), where the wireless device lost connection (in other words, not in use) and has to re-establish the communication link to receive the data not received.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres, Trossen, and Cohn to have the feature when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone that is not in use, in order to provide wireless delivery, downloading, playback and management of multimedia content on a mobile device, as taught by Cohn (see pg. 1, [0011]). The combination Ayres, Trossen, and Cohn does not specifically disclose having the feature(s) when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information; when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, causing the mobile phone to display the distributed video information for only a time period, and thereafter causing the mobile phone to stop displaying the video information and save the remaining video information distributed after the time period has elapsed. However, the examiner maintains that the feature(s) when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information; when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, causing the mobile phone to

display the distributed video information for only a time period, and thereafter causing the mobile phone to stop displaying the video information and save the remaining video information distributed after the time period has elapsed was well known in the art, as taught by Kuramitsu.

In the same field of endeavor, Kuramitsu discloses the feature(s) when said video information is distributed from the video contents server to the mobile phone (e.g., mobile communications terminal device $E_1$) while a user is using the mobile phone, causing the mobile phone to save (e.g., stores) the distributed video information (see col. 2, lines 23-29; col. 5, lines 43-55; col. 19, lines 15-19,23-26; Figs. 1 & 20), where the content is stored while the user is engaged in voice communication;

when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, causing the mobile phone to display (e.g., reproduces) the distributed video information for only a time period (see col. 7, line 63 - col. 8, line 4; Figs. 2, 5, & 23 and the related text), where the content is being reproduce for a time period and stores the content during an incoming call in which the content can be reproduced at a later time, and

thereafter causing the mobile phone to stop displaying the video information and save the remaining video information distributed after the time period has elapsed (see col. 7, line 63 - col. 8, line 4; Figs. 2, 5, & 23 and the related text), where the content is being reproduce for a time period and stores the content during an incoming call in which the content can be reproduced at a later time.

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Ayres, Trossen, Cohn, and Kuramitsu to

have the feature(s) when said video information is distributed from the video contents server

to the mobile phone while a user is using the mobile phone, causing the mobile phone to save

the distributed video information; when the video information is distributed from the video

contents server to the mobile phone while the user is not using the mobile phone, causing the

mobile phone to display the distributed video information for only a time period, and

thereafter causing the mobile phone to stop displaying the video information and save the

remaining video information distributed after the time period has elapsed, in order to provide

a communication terminal device capable of outputting a portion of a content missed by the

user due to voice communication at a time shifted from the actual broadcast, as taught by

Kuramitsu (see col. 1, lines 61-65).

Regarding **claims 1, 7, and 9**, Ayres discloses a system for distributing video (e.g.,

multimedia MM) information based on push technology (see pg. 4, [0039-0040]),

comprising:

a mobile phone that receives said video information from a video contents server (e.g.,

multimedia distribution server - MDK 12, 14, 16) configured to store therein the video

information to be distributed (see pg. 2, [0020]; pg. 5, [0053]);

a user management server (MDK server 140) which controls user registration and video

information distribution via a network (see pg. 4, [0039-0040]),

wherein said video contents server is under control of said user management server,

wherein a user request for a video information distribution service about an area to the user is

received by said user management server in advance (see pg. 1, [0009-0010]; pg. 4, [0045]),

where the MDK server 140 includes a subscriber registration module (142); and

said video information about the area is distributed from the video contents server to said

mobile phone via said push technology (see pg. 2, [0020]; pg. 5, [0053]),

the video information is displayed in real time (see pg. 3, [0027]; pg. 2, [0020]).

wherein said video information about the area is distributed from the video contents

server via said push technology (see pg. 1, [0009-0010]; pg. 4, [0045]), where the MDK

server 140 includes a subscriber registration module (142).

the mobile phone saves the distributed video information (see pg. 7, [0079]);

the mobile phone displays the saved video information in response to a user's instruction

(see pg. 3, [0027]). Ayres does not specifically disclose having the feature(s) a traffic

monitoring apparatus that measures a traffic level of a radio channel to which the mobile

phone is connected, wherein when said traffic is lower than a threshold, said video

information about the area is distributed from the video contents server to said mobile phone

via said push technology, and if the mobile phone is not in use and the video information has

not already been provided, wherein said video information about the area is distributed from

the video contents server to said mobile phone via said push technology, wherein when said

traffic is lower than the threshold and when the mobile phone is in the area, and wherein

when said video information is distributed from the video contents server to the mobile

phone while a user is using the mobile phone, the mobile phone saves the distributed video

information, and further wherein when the video information is distributed from the video

contents server to the mobile phone while the user is not using the mobile phone, the mobile

phone displays the distributed video information for only a time period, and thereafter the

mobile phone stops displaying the video information and saves the remaining video

information distributed after the time period has elapsed. However, the examiner maintains

that the feature(s) a traffic monitoring apparatus that measures a traffic level of a radio

channel to which the mobile phone is connected, wherein when said traffic is lower than a

threshold, said video information about the area is distributed from the video contents server

to said mobile phone via said push technology, wherein said video information about the area

is distributed from the video contents server to said mobile phone via said push technology,

wherein when said traffic is lower than the threshold and when the mobile phone is in the

area was well known in the art, as taught by Trossen.

In the same field of endeavor, Trossen discloses the feature(s) a traffic monitoring

apparatus that measures a traffic level of a radio channel to which the mobile phone is

connected, wherein when said traffic is lower than a threshold, said video information about

the area is distributed from the video contents server to said mobile phone via said push

technology (see pg. 4, [0033]; pg. 7, [0046-0047]), where the message recipient can define a

recipient rule that only permits delivery of specific portions of multimedia messages, such as

text portions of multimedia messages that also contain, for example, graphic, audio, and/or

video content; and a network rule for message delivery can be defined based on an amount of

traffic on the network over which the media content is to be delivered, such as sending the

media content when the network traffic is below a threshold (see pg. 7, [0046-0047]),

wherein said video information about the area is distributed from the video contents

server to said mobile phone via said push technology (see pg. 4, [0033]; pg. 7, [0046-0047]),

wherein when said traffic is lower than the threshold and when the mobile phone is in the

area (see pg. 4, [0033]; pg. 7, [0046-0047]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Ayres and Trossen to have the feature(s)

a traffic monitoring apparatus that measures a traffic level of a radio channel to which the

mobile phone is connected, wherein when said traffic is lower than a threshold, said video

information about the area is distributed from the video contents server to said mobile phone

via said push technology, wherein said video information about the area is distributed from

the video contents server to said mobile phone via said push technology, wherein when said

traffic is lower than the threshold and when the mobile phone is in the area, in order to allow

rules to be defined so as to facilitate fast, efficient and expensive  delivery of media content

to subscribers, as taught by Trossen (see pg. 2, [0014]; pg. 10, [0068]).  The combination

Ayres and Trossen does not specifically disclose having the feature(s) if the mobile phone is

not in use and the video information has not already been provided, and wherein when said

video information is distributed from the video contents server to the mobile phone while a

user is using the mobile phone, the mobile phone saves the distributed video information, and

further wherein when the video information is distributed from the video contents server to

the mobile phone while the user is not using the mobile phone, the mobile phone displays the

distributed video information for only a time period, and thereafter the mobile phone stops

displaying the video information and saves the remaining video information distributed after

the time period has elapsed.  However, the examiner maintains that the feature(s) if the

mobile phone is not in use and the video information has not already been provided was well

known in the art, as taught by Cohn.

Cohn further discloses the feature(s) if the mobile phone (e.g., wireless handheld

device 18) is not in use and the video information has not already been provided (see pg. 2,

[0022, 0024, 0036]; pg. 3, [0050]), where the device can receive single use video content,

and

wherein when the video information is distributed from the video contents server to the

mobile phone while the user is not using the mobile phone (e.g., wireless handheld device

18) (see pg. 2, [0022, 0024, 0036]; pg. 3, [0050]), where the device can receive single use

video content.  Also, Cohn further discloses the feature mobile phone that is not in use (see

pgs. 1-2, [0013]), where the wireless device lost connection (in other words, not in use) and

has to re-establish the communication link to receive the data not received.

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Ayres, Trossen, and Cohn to have the

feature(s) if the mobile phone is not in use and the video information has not already been

provided, and wherein when the video information is distributed from the video contents

server to the mobile phone while the user is not using the mobile phone, in order to provide

wireless delivery, downloading, playback and management of multimedia content on a

mobile device, as taught by Cohn (see pg. 1, [0011]).  The combination Ayres, Trossen, and

Cohn does not specifically disclose having the feature(s) wherein when said video

information is distributed from the video contents server to the mobile phone while a user is

using the mobile phone, the mobile phone saves the distributed video information, and

further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed. However, the examiner maintains that the feature(s) wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, the mobile phone saves the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed was well known in the art, as taught by Kuramitsu.

In the same field of endeavor, Kuramitsu discloses the feature(s) wherein when said video information is distributed from the video contents server to the mobile phone (e.g., mobile communications terminal device $E_1$) while a user is using the mobile phone, the mobile phone saves (e.g., stores) the distributed video information (see col. 2, lines 23-29; col. 5, lines 43-55; col. 19, lines 15-19,23-26; Figs. 1 & 20), where the content is stored while the user is engaged in voice communication, and

further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, the mobile phone displays (e.g., reproduces) the distributed video information for only a time period (see col. 7, line 63

- col. 8, line 4; Figs. 2, 5, & 23 and the related text), where the content is being reproduce for

a time period and stores the content during an incoming call in which the content can be

reproduced at a later time, and

thereafter the mobile phone stops displaying the video information and saves the

remaining video information distributed after the time period has elapsed (see col. 7, line 63 -

col. 8, line 4; Figs. 2, 5, & 23 and the related text), where the content is being reproduce for a

time period and stores the content during an incoming call in which the content can be

reproduced at a later time.

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Ayres, Trossen, Cohn, and Kuramitsu to

have the feature(s) wherein when said video information is distributed from the video

contents server to the mobile phone while a user is using the mobile phone, the mobile phone

saves the distributed video information, and further wherein when the video information is

distributed from the video contents server to the mobile phone while the user is not using the

mobile phone, the mobile phone displays the distributed video information for only a time

period, and thereafter the mobile phone stops displaying the video information and saves the

remaining video information distributed after the time period has elapsed, in order to provide

a communication terminal device capable of outputting a portion of a content missed by the

user due to voice communication at a time shifted from the actual broadcast, as taught by

Kuramitsu (see col. 1, lines 61-65).

*Response to Allowable Subject Matter*

11.        The indicated allowability of claims 1-3, 7, and 9 are withdrawn in view of the newly

discovered reference(s) to Kuramitsu.  Rejections based on the newly cited reference(s)

above.

*Response to Arguments*

12.        Applicant's arguments with respect to claims 1-3, 7, and 9 have been considered but

are moot in view of the new ground(s) of rejection.

        In response to applicant's arguments, the Examiner respectfully disagrees as the

applied reference(s) provide more than adequate support and to further clarify (see the above

claims for relevant citations).

*Conclusion*

13.        The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

        a.  Tran (US 2002/0194609 A1) discloses video client with dynamically allocable video

            buffer for efficiently streaming video.  A client buffer can be dynamically changed in

            response to changing communication channel conditions (see abstract).

14.        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to WILLIE J. DANIEL JR whose telephone number is

(571)272-7907.  The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

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9197 (toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-9199 (IN USA

OR CANADA) or 571-272-1000.

/WJD,Jr/

WJD,Jr
14 January 2009

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617